

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VNUS MEDICAL TECHNOLOGIES, INC.

No. C-05-2972 MMC

Plaintiff

v.

DIOMED HOLDINGS, INC., et al.,

Defendants

**ORDER GRANTING IN PART AND  
DENYING IN PART ANGIODYNAMICS'  
MOTION TO FILE DOCUMENTS UNDER  
SEAL; DIRECTIONS TO  
ANGIODYNAMICS**

Before the Court is defendant AngioDynamics, Inc.'s ("AngioDynamics") motion to file documents under seal, filed August 10, 2007. Having reviewed the Declaration of Mark Kertz, filed by plaintiff VNUS Medical Technologies, Inc. ("VNUS") on August 17, 2007, the Court rules as follows:

1. AngioDynamics's motion is hereby GRANTED in part, specifically, as to the following documents that VNUS has shown contain material properly filed under seal:
  - a. Defendants' Notice and Motion for Summary Judgment of Invalidity Under 35 U.S.C. §§ 112
  - b. Declaration of Richard J. Twilley in Support of Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 112.
2. With respect to Exhibits C and I to the Declaration of Richard J. Twilley, only a portion of those exhibits are, for the reasons stated by VNUS, properly filed under seal.

1 Accordingly, AngioDynamics's motion is hereby DENIED to the extent AngioDynamics  
2 seeks to file the entirety of said exhibits under seal. If AngioDynamics wishes the Court to  
3 consider the portions of those exhibits that have not been designated as confidential by  
4 VNUS, specifically, any page of Exhibit C other than pages 67-68 and 227-228, and any  
5 page of Exhibit I other than the pages stamped "VNUS\_014109-11," AngioDynamics is  
6 hereby DIRECTED to electronically file in the public record such page(s) no later than  
7 August 30, 2007.

8 3. AngioDynamics's motion is hereby DENIED in part, specifically, as to the  
9 following documents for which VNUS has withdrawn any prior designation of confidentiality:  
10 Exhibits E, F, O, and V to the Declaration of Richard J. Twilley. If AngioDynamics wishes  
11 to have the Court consider such exhibits, AngioDynamics is hereby DIRECTED to  
12 electronically file in the public record such exhibits no later than August 30, 2007.

13 **IT IS SO ORDERED.**

14  
15 Dated: August 23, 2007

  
MAXINE M. CHESNEY  
United States District Judge